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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,214	11/05/2003	James Hudson	4188-032060	7973

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EXAMINER


COLETTA, LORI L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/702,214	Applicant(s) HUDSON, JAMES	
	Examiner Lori L. Coletta	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 and 16-18 is/are allowed.
- 6) ☒ Claim(s) 9-11 is/are rejected.
- 7) ☒ Claim(s) 12-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Reference characters **23'**, **31'** in Fig. 1, **45** in Fig 5A, **45'** in Fig 5B, **43** and **43'** in Fig. 6 are not mentioned in the specification.

Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. Claims 1-18 are objected to because of the following informalities:

Regarding claim 1, "said first bumper guard" (line 6) needs to be changed to --a first bumper guard--. "said second bumper guard" (lines 8 and 9) needs to be changed to --a second bumper guard--. "a golf cart" (line 11) needs to be changed to --the golf cart--.

*See same deficiency in claims 8 (last line of the claim), 9 (last line of the claim), 16 (last line of claim) and claim 17 (last line of claim)*

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Regarding claim 4, “a first bumper guard” (line 1) needs to be changed to --the first bumper guard--. “a second bumper guard” (lines 1 and 2) needs to be changed to --the second bumper guard--.

Regarding claim 10, “The bumper assembly” (line 1) needs to be changed to --The method--.

Regarding claim 13, “the depending ends” (line 1) needs to be changed to --depending ends--. “said recess” (lines 2 and 3) needs to be changed to --said bumper beam recess--.

Regarding claim 15, “the hole” (lines 4 both occurrences, 5, 6, and 10) needs to be change to a --hole--. *See same deficiency in claim 16 (lines 15 and 16).* “said bumper beam recess” (line 8) needs to be changed to --a bumper beam recess--. *See same deficiency in claim 16 (line 19).* “said bumper guards” (lines 8 and 9) needs to be changed to --bumper guards--. “said first lip” (lines 4 and 5) needs to be changed to --a first lip--. “

Regarding claim 18, “said first bumper guard” (line 7) needs to be changed to --a first bumper guard--. “said second bumper guard” (line 9) needs to be changed to --a second bumper guard--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claim 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamashita et al. 5,114,198.

Regarding claim 9, Yamashita et al. '198 discloses a method for attaching a bumper assembly on a golf cart, comprising providing a bumper beam (4) having a first end and a second end, a front surface and a back surface, said bumper beam extending in a longitudinal direction; providing a first bumper bracket (5) and a second bumper bracket (5), each bumper bracket having a first end and a second end; affixing said first end of said first bumper bracket to said first end of said back surface of said bumper beam; affixing said first end of said second bumper bracket to said second end of said back surface of said bumper beam, wherein said first bumper bracket and said second bumper bracket are adapted to affix to a front axle of the golf cart in Figure 12.

Regarding claim 10, Yamashita et al. '198 discloses the method for attaching a bumper assembly on a golf cart, further comprising a first bumper guard (11) and a second bumper guard (11), each of said bumper guards having a depending ends in Figure 12.

Regarding claim 11, Yamashita et al. '198 discloses the method for attaching a bumper assembly on a golf cart, wherein said bumper beam (4) has a hole (7) defined adjacent said first end and a hole defined adjacent said second end in Figure 12.

***Allowable Subject Matter***

5. Claims 1-8 and 16-18 are allowed.
6. Claims 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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7. The following is a statement of reasons for the indication of allowable subject matter:

The recitations of the specific features of the bumper assembly in claim 1 including especially the construction of the first and second bumper guards affixed to the front surface of the bumper beam is not taught nor is fairly suggested by the prior art of record.

The recitations of the specific features of the bumper assembly in claim 8 including especially the construction of the first lip positioned at said first end of the bumper bracket and depending from the body, the second lip positioned at the first end of the bumper bracket and depending from the body, a third lip depending from the body, the first lip and the second lip each having a hole defined therein is not taught nor is fairly suggested by the prior art of record.

The recitations of the specific features of the method for placing a bumper assembly on a golf cart in claim 16 including especially the construction of the first lip positioned at the first end of the bumper bracket and depending from the body, the second lip positioned at the second end of the bumper bracket and depending from the body, and the third lip depending from the body, wherein the first and second lips each have a hole therein is not taught nor is fairly suggested by the prior art of record.

The recitations of the specific features of the kit for a bumper assembly for a golf cart in claim 17 including especially the construction of the first bumper guard is adapted to receive the second end of the front surface of the bumper beam and the second bumper guard is adapted to receive the second end of the front surface of the bumper beam is not taught nor is fairly suggested by the prior art of record.

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The recitations of the specific features of the golf cart in claim 18 including especially the construction of the first bumper beam is affixed to the front surface of the front end of the bumper beam and the second bumper guard is affixed to the front surface of the second end of the back surface of the bumper beam is not taught nor is fairly suggested by the prior art of record.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references show several other bumper assemblies similar to that of the current invention.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lori L. Coletta whose telephone number is (703) 306-4614.

The examiner can normally be reached on Monday-Friday 6:00am-2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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*Lori L. Coletta*

Lori L. Coletta

Primary Examiner

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llc

August 5, 2004